

Crescent Creek Wild and Scenic River Landowner Meeting 4/4/2017 Notes

Boundary

- What about existing subdivision rights? What if they were established before the Wild and Scenic River? Do they supersede WSR? Some other things were grandfathered, is this something that can be grandfathered? **No, the Wild and Scenic River Act (WSRA) does not provide for grandfathering, and because it is Congressional action (i.e. a law), it would supersede previous subdivision uses. However, remember that the WSRA applies on Federal land, not private land, unless private landowners propose projects or work that is actually within the Ordinary High Water Mark (OHWM).**
- Why was the boundary expanded in Sec 12? When a WSR is designated by Congress, there is a automatic ¼ mile interim boundary on each side of the river. As part of this process, the agency works with the public to determine the best final boundary to protect the values for which the river was designated.
- Comment emphasizing the value of the riparian vegetation setback. Riparian vegetation setbacks are typically a county zoning rule or issue.

NEPA/Management Plan

- A participant requested a map showing the boundary and the Deschutes Land and Resource Management Allocations be put online. **A map with the boundary and the LRMP, and a map with the NWFP allocations have been put on our website**
- Scoping comments will be taken at any time, but in order to have eligibility to objection, individuals or groups must comment during official comment periods.
- Do agencies charge if someone wants to build within the ordinary high water mark? **The Forest Service does not.**
- What is the possibility of a trail down the canyon?
- How much more into the process will Section 7 add, many homeowners already go through Army Corps and Department of State Lands, and if necessary Oregon Department of Fish and Wildlife.
- Why does the Forest Service not follow Management Plan? Creosote logs, cables torn down and thrown into Big Marsh. Why?
- 2 years ago Midstate drove halftrack through stream tearing up banks etc. How do we enforce that they also follow the rules-contractors, public utilities etc.
- Why are we doing this exercise, its overkill.
- Acres of private within the boundary
- Who decides that this waterbody should be designated? **The final decision maker was Congress.**
- Is it possible to have a public meeting on the weekend? **The FS will consider this for the next meeting.**

Section 7

- How strictly will existing improvements be evaluated and will we be forced to change those improvement below the high water mark? **Most likely existing improvements will be evaluated as maintenance or reconstruction needs to occur to insure compliance with Section 7.**
- I don't want to change the way I recreate on the river.
- There was general agreement that that improvements such as tires were not appropriate in the river.
- "Section 7" is not being implemented as part of this Management Plan being developed. It is part of the Wild and Scenic River Act (Section 7, where it gets its name) and has always been in effect for every designated wild and scenic river. In this case, many people have not known about the requirements or the process, and we are including discussion opportunities to help people learn more and understand the requirements.
- There may be "Section 7" analysis required on private land where tributaries to the river are involved. Whether they are inside or outside the actual final corridor boundary, the river-administering agency (the Forest Service) also has a responsibility to evaluate work proposed on tributaries to the system if they might have an impact on the river.